IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 30TH OCTOBER 2007 / 8TH KARTHIKA 1929

SA.No. 535 of 1997(E)

AS.43/1994 of PRL.SUB COURT, KOZHIKODE
OS.80/1993 of SUB COURT, QUILANDY
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APPELLANTS - APPELLANTS - PLAINTIFFS:
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1. MOOTHACHETTIAM VEETTIL NARAYANI PANTHALAYANI AMSOM, KOTHAMANGALAM DESOM, KOYILANDY TALUK, KOZHIKODE.

2. DO. DO. JANAKI, DO. DO.

3. DO. DO. SANTHA, DO. DO.

4. DO. DO. SREEMATHI, DO. DO.

BY ADV. SRI.R.K.MURALEEDHARAN
SRI.R.PARTHASARATHY

RESPONDENTS - RESPONDENTS - DEFENDANTS:
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1. PUTHANPURAYIL ALIAS MOOTANCHETTIYAM VEETTIL PARKUM CHALAKKIL UNNI AMMA, PANTHALAYANI AMSOM, KOTHAMANGALAM DESOM, KOYILANDY TALUK.

2. ELAMAKKANDI JANU, PANTHALAYANI ASOM, KOTHAMANGALAM DESOM, KOYILANDY TALUK, KOZHIKODE DISTRICT.

3. ELAMAKKANDI SHIJU, DO. DO.

ADDITIONAL RESPONDENTS IMPLEADED:
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4. LAKSHMI, D/O,. PUTHANPURAYIL ALIAS MOOTHANCHETTIYAM VEETTIL PARKUM CHALAKKIL UNNI AMMA, PANTHALAYANI AMSOM, KOTHAMANGALAM DESOM.

5. KARTHIYANI, DO.

6. GANGADHARAN, S/O. DO.

7. GOPALAKRISHNAN, DO.

8. RAGHAVAN, DO.

9. SAROJINI, D/O. DO.

10. RAMAN, S/O. DO. (PREDECEASED 1ST RESPONDENT)

11. NARAYANI, W/O. RAMAN, DO.

12. RAVI, S/O. DO.

13. BABU, S/O. DO.

14. BIJU, S/O. DO.

15. MANI, D/O. DO.

16. UMA, D/O. DO.

17. BABU, D/O,. DO.

18. REMANI, D/O. DO.

ADDITIONAL RESPONDENTS 4 TO 18 ARE IMPLEADED AS PER ORDER IN I.A. NO.1659 OF 2007 DATED 30.10.2007.

BY ADV. SRI.P.K.SURESH KUMAR
SRI.P.K.SURESH KUMAR

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON 30/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR, J.

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S.A. NO. 535 OF 1997

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Dated this the 30th day of October, 2007

J U D G M E N T

When the appeal comes for orders, counsel appearing for both sides submitted that the matter has been settled between the parties out of court. It is also submitted that the parties have filed a joint statement to that effect. So the appeal is only to be dismissed recording the joint statement.

In the result, appeal is dismissed as settled out court. Joint statement filed by the parties is recorded. The terms of the statement and the plan appended to the same shall form part of the decree.

Interlocutory Application Nos.577, 1659 and 1660 of 2007 shall sand allowed.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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S.A. NO. 535 OF 1997

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J U D G M E N T

30TH OCTOBER, 2007